

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

IVAN SHANE STORZ,	)	
Trustee of the I. Shane Storz Trust,	)	
	)	
DARLENE STORZ,	)	
Trustee of the Darlene Storz Living Trust, and	)	
	)	
S. DARNEA WOOD,	)	
	)	Case No. 4:23-cv-1496 (NCC)
Plaintiffs,	)	
	)	
vs.	)	
	)	
SOUTHERN AIRWAYS CORPORATION,	)	
	)	
Defendant.	)	

**DEFENDANT SOUTHERN AIRWAYS CORPORATION'S  
NOTICE OF MOTION TO COMPEL ARBITRATION AND TO DISMISS**

PLEASE TAKE NOTICE that, pursuant to the Stock Purchase Agreement dated March 31, 2022 and in accordance with the Federal Arbitration Act, 9 U.S.C. § 4, defendant Southern Airways Corporation (“SAC”), through its attorneys, Morrison-Tenenbaum, PLLC, respectfully moves to compel arbitration as to all controversies between SAC and plaintiffs Ivan Shane Storz, Darlene Storz and S. Darnea Wood (“Plaintiffs”); and pursuant to Rule 12(b)(6), to dismiss the instant action in which the Court has nothing to adjudicate, or alternatively, pursuant to 9 U.S.C. § 3, to stay the instant action pending the outcome of arbitration; or as an alternative to compelling arbitration, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss Plaintiffs’

complaint for failure to state a claim; and for other and further relief as the Court deems just and proper. In support, SAC submits SAC's Memorandum of Law dated December 28, 2023, which is being filed contemporaneously with this motion, together with the Declaration of Henry Evander Jones dated December 28, 2023 and the exhibits attached thereto.

Dated: New York, New York  
December 28, 2023

MORRISON-TENENBAUM, PLLC



By: \_\_\_\_\_

Henry E. Jones, Esq.

*Admitted Pro Hac Vice*

87 Walker Street, Second Floor

New York, NY 10013

henryj@m-t-law.com

tel. (212) 620-0938

fax (646) 998-1972

*Attorneys for Defendant*

*Southern Airways Corporation*